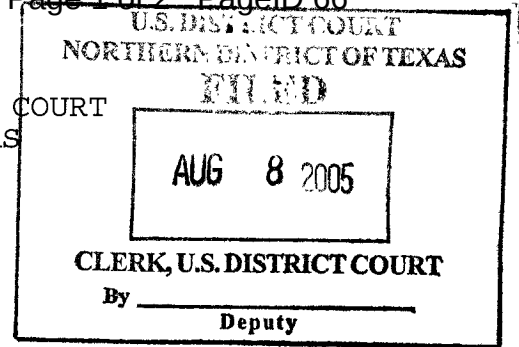


IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION



EDWIN DEWAYNE WILLIAMS,  
Petitioner,

VS.

DOUGLAS DRETKE, DIRECTOR,  
TEXAS DEPARTMENT OF CRIMINAL  
JUSTICE, CORRECTIONAL  
INSTITUTIONS DIVISION,  
Respondent.

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NO. 4:05-CV-132-A

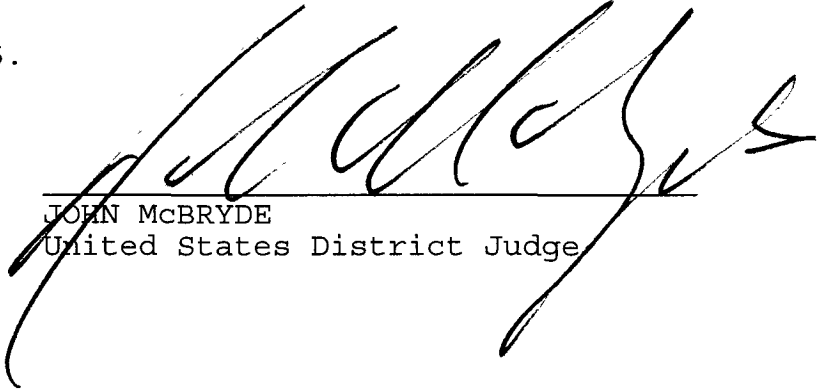
O R D E R

Came on for consideration the above-captioned action wherein Edwin Dewayne Williams is petitioner and Douglas Dretke is respondent. This is a petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. On July 12, 2005, the United States Magistrate Judge issued his proposed findings, conclusions, and recommendation, and ordered that the parties file objections, if any, thereto by August 2, 2005. On July 27, 2005, respondent filed his written objections. Petitioner has not made any further response. In accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the court makes a de novo determination of those portions of the proposed findings or recommendations to which specific objection is made. United States v. Raddatz, 447 U.S. 667 (1980). The court is not addressing any nonspecific objections or any frivolous or conclusory objections. Battle v. United States Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987).

Respondent does not object to the ultimate conclusion or recommendation of the magistrate judge that petitioner's federal petition for writ of habeas corpus be dismissed as untimely. However, he objects to the magistrate judge's finding that the one-year statute of limitations was tolled during the pendency of petitioner's administrative dispute resolution process. The magistrate judge's language was dicta, and the court need not reach the merits of respondent's objection. Therefore,

The court accepts the findings, conclusions and recommendation of the magistrate judge and ORDERS that the petition in this action be, and is hereby, dismissed as time-barred.

SIGNED August 8, 2005.



JOHN McBRYDE  
United States District Judge